

Kordzi, Joe

From: Kordzi, Joe
Sent: Wednesday, July 15, 2015 2:41 PM
To: DeYoung, Robyn
Subject: RE: Our ERCOT report bullet list

Thanks.

From: DeYoung, Robyn
Sent: Wednesday, July 15, 2015 2:14 PM
To: Kordzi, Joe
Cc: Donaldson, Guy; Feldman, Michael; Snyder, Erik; Schoellkopf, Lynde
Subject: RE: Our ERCOT report bullet list

Hi Joe,

The current update is our main contact at Synapse returned from vacation and is currently reviewing the ERCOT report to determine the level of effort it will take to address your questions. I am due to hear about from him Tuesday July 21st. I will send you more details as they unfold.

Robyn

From: Kordzi, Joe
Sent: Thursday, July 09, 2015 10:36 AM
To: DeYoung, Robyn
Cc: Donaldson, Guy; Feldman, Michael; Snyder, Erik; Schoellkopf, Lynde
Subject: FW: Our ERCOT report bullet list

Hi Robin,

As we discussed, we would appreciate it if Synapse would provide a high level analysis of the attached report provided by ERCOT regarding the potential impacts of our Regional Haze FIP on grid reliability. I've also attached our proposed FIP for context. If this level of analysis by Synapse will require that we transfer funds into the contract, please let me know. I will be working from home until Monday and can be reached at **5 U.S.C. Sec** . Monday and later at 214-665-7186.

In summary, it appears ERCOT is asserting that every utility that is subject to our FIP is vulnerable to shutting down rather than installing the controls proposed in our FIP and if this happens grid reliability issues could arise.

So the first question we would like feedback on is if, as suggested by ERCOT, all or some of the units subject to the FIP choose to shutdown rather than install controls, would the grid be able to handle it or would there be reliability problems? Further, if some units shutdown, can Synapse give us any feedback on the amount of shutdowns to be concerned about?

The second question is how realistic is the scenario that all or some will shut down rather than control?

In considering the above questions, we think Synapse should consider the following factors and questions:

- **5 U.S.C. Sec. 552(b)(5)- Deliberative**

- 5 U.S.C. Sec. 552(b)(5)- Deliberative [redacted]
[redacted]
[redacted]
- [redacted]
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- [redacted]
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[redacted]
- [redacted]
- [redacted]

Joe Kordzi
EPA Region 6

" . . . and miles to go before I sleep."
- Robert Frost

Kordzi, Joe

From: Kordzi, Joe
Sent: Thursday, July 09, 2015 9:36 AM
To: DeYoung, Robyn
Cc: Donaldson, Guy; Feldman, Michael; Snyder, Erik; Schoellkopf, Lynde
Subject: FW: Our ERCOT report bullet list
Attachments: ERCOT report.pdf; TX-OK SIP and FIP proposal as published.pdf

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- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Joe Kordzi
EPA Region 6

" . . . and miles to go before I sleep."

Kordzi, Joe

From: Kordzi, Joe
Sent: Monday, July 06, 2015 2:48 PM
To: Donaldson, Guy
Cc: Feldman, Michael; Snyder, Erik
Subject: Our ERCOT report bullet list

Guy,

Below is what I would like to send to Synapse when we solicit their high-level analysis of the ERCOT report. I assembled by picking out the points from my own and Michael's observations. Michael, since I haven't first offered this up for comment, pls feel free to do so now.

- 5 U.S.C. Sec. 552(b)(5)- Deliberative [REDACTED]
[REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
[REDACTED]
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- [REDACTED]
[REDACTED]

Joe Kordzi
EPA Region 6

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- Robert Frost

Kordzi, Joe

From: Kordzi, Joe
Sent: Thursday, July 02, 2015 3:12 PM
To: Donaldson, Guy
Cc: Schoellkopf, Lynde; Snyder, Erik; Smith, Suzanne; Feldman, Michael; Watson, Lucinda
Subject: RE: Please Send me the ERCOT Comments

Assuming you still want the Synapse high-level analysis, I would like to include some bullet observations we have (as unbiased as possible) w/ our email to Robin concerning how ERCOT performed its analysis: what assumptions it made (e.g., scrubber upgrade cost = scrubber retrofit cost), what regulatory programs it may have missed (SO2 NAAQS), whether those programs may have also controlled these same sources (MATS assumptions on scrubber upgrades: needed if not at 0.2), etc. I don't intend to include any observations concerning our opinions of the level of detail, transparency, speculation, etc. – just things someone outside of EPA may not be aware of. I'm talking about maybe 5-10 bullets. I'd like to have until Tues cob to collect those comments.

From: Donaldson, Guy
Sent: Thursday, July 02, 2015 2:58 PM
To: Feldman, Michael; Watson, Lucinda; Kordzi, Joe
Cc: Schoellkopf, Lynde; Snyder, Erik; Smith, Suzanne
Subject: RE: Please Send me the ERCOT Comments

Didn't have a chance to call. We are doing a FIP on 12 units that are within ERCOT. ERCOT has suggested all are at risk of shutdown. I don't know if Synapse has the ability to really evaluate that suggestion or not. They might be able to tell us however, whether it matters if all of those units shutdown. The grid may be able to take it.

From: Feldman, Michael
Sent: Thursday, July 02, 2015 11:21 AM
To: Watson, Lucinda; Donaldson, Guy; Kordzi, Joe
Cc: Schoellkopf, Lynde; Snyder, Erik; Smith, Suzanne
Subject: RE: Please Send me the ERCOT Comments

<http://www.gpo.gov/fdsys/pkg/FR-2012-02-16/pdf/2012-806.pdf>

From: Feldman, Michael
Sent: Thursday, July 02, 2015 11:19 AM
To: Watson, Lucinda; Donaldson, Guy; Kordzi, Joe
Cc: Schoellkopf, Lynde; Snyder, Erik; Smith, Suzanne
Subject: RE: Please Send me the ERCOT Comments

Here is the RTC for the MATS rule. See the section starting on page 9406 addressing reliability concerns.

They refer to our analysis, independent analyses showing that even more stringent requirements (FGD and FF on all EGUs) would not have serious consequences, discuss flaws in analyses submitted by commenters, etc...

From: Watson, Lucinda
Sent: Thursday, July 02, 2015 10:28 AM

To: Donaldson, Guy; Kordzi, Joe
Cc: Schoellkopf, Lynde; Feldman, Michael; Snyder, Erik; Smith, Suzanne
Subject: RE: Please Send me the ERCOT Comments

Guy = please call me. I think we are talking over each other. In my reading of the ERCOT report, it did not say which particular EGUs might have to shut down.

Based on the e-mail traffic, it did not look like Synapse could come up with which EGUs in Texas would have to shut down, only an at most an agreement with the ERCOT report that because of the myriad EPA regulations, a potential percentage of EGUs in Texas may have to shut down, which would adversely affect the grid.

I am not sure if Synapse agrees with ERCOT, what facts would PD use to recommend fewer controls? We will not know which EGUs so what would be the methodology?

From: Donaldson, Guy
Sent: Thursday, July 02, 2015 8:08 AM
To: Watson, Lucinda; Kordzi, Joe
Cc: Schoellkopf, Lynde; Feldman, Michael; Snyder, Erik; Smith, Suzanne
Subject: RE: Please Send me the ERCOT Comments

I think we are missing the forest for the trees here. I don't believe it can be a misuse of our resources to investigate whether something we are doing could result in power outages. Feel free to elevate the issue if you feel strongly about it.

I would like the high level review.

5 U.S.C. Sec. 552(b)(5)- Deliberative

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Watson, Lucinda
Sent: Wednesday, July 01, 2015 4:38 PM
To: Kordzi, Joe; Donaldson, Guy
Cc: Schoellkopf, Lynde; Feldman, Michael; Snyder, Erik; Smith, Suzanne
Subject: RE: Please Send me the ERCOT Comments

There still is no suggestion that having this work done will result in any facts, only potentially an agreement of Synapse with ERCOT's predictions, based upon no facts. Spending monies and/or time now on something that will not benefit the agency at this time could be viewed as misuse of funds and time.

From: Kordzi, Joe
Sent: Wednesday, July 01, 2015 4:10 PM
To: Donaldson, Guy

Cc: Watson, Lucinda; Schoellkopf, Lynde; Feldman, Michael; Snyder, Erik

Subject: RE: Please Send me the ERCOT Comments

Robin DeYoung called me to discuss the possibility of having the ERCOT report reviewed by Synapse. She said that was a possibility, but that we would likely not receive their response until about 8/15, considering the people involved are on vacation for the next 12 days. She said that if they did just an upper-level review of about 8-10 hrs, her contract would probably be able to cover it, but if we wanted a more in-depth review, we would have to talk about moving some funds into her contract.

I have not changed my views that it is not possible to predict what the impact on the grid will be at this time and that any such an assessment is too speculative to be meaningful. However, if you want me to pursue this, then Robin wants me to send her an email w/ some background, the report, and the degree of review desired. Considering that she stated that if they limit their review to 8-10 hrs for an upper-level review we likely wouldn't have to pay for it, we could ask them to review it from the standpoint of whether they believe there is enough info in the report to reach the conclusions ERCOT did. It may be possible to get this level of review sooner than 8/15. If Synapse then replies that they do believe it merits further review, we can go from there.

From: Donaldson, Guy

Sent: Monday, June 29, 2015 11:19 AM

To: Kordzi, Joe; Watson, Lucinda; Schoellkopf, Lynde

Subject: RE: Please Send me the ERCOT Comments

Well it good to know that we have a legal response. I'm not sure that the fact that no response is required legally is going to be enough as a policy matter.

If Luminant shuts down all their units and the power goes out and they blame our rules, its going to be a problem for all of us.

I still think we should see whether we can get some feedback from the HQs contractor.

From: Kordzi, Joe

Sent: Monday, June 29, 2015 11:10 AM

To: Watson, Lucinda; Donaldson, Guy; Schoellkopf, Lynde; Aisling, Kathleen

Subject: RE: Please Send me the ERCOT Comments

That's where I'm at. Neither we nor ERCOT know if and when EGUs will shut down.

From: Watson, Lucinda

Sent: Monday, June 29, 2015 11:01 AM

To: Donaldson, Guy; Schoellkopf, Lynde; Aisling, Kathleen; Kordzi, Joe

Subject: RE: Please Send me the ERCOT Comments

The beauty of the Administrative Procedures Act, the CAA, and case law is that even if a comment presents reasonable speculation, it remains speculation and therefore no response is required - We have no data upon which to rest a final decision. We can add to the RTC that when/if we receive data in support of the speculation, we will reevaluate.

From: Donaldson, Guy

Sent: Monday, June 29, 2015 10:58 AM

To: Watson, Lucinda; Schoellkopf, Lynde; Aisling, Kathleen; Kordzi, Joe

Subject: RE: Please Send me the ERCOT Comments

You know I guess my problem with just saying no supporting documentation is that we all suspect that Luminant with its financial difficulties will not be able to afford controls. So while its speculation, it seems like reasonable speculation.

From: Watson, Lucinda

Sent: Thursday, June 25, 2015 6:32 PM

To: Schoellkopf, Lynde; Aisling, Kathleen; Kordzi, Joe

Cc: Donaldson, Guy

Subject: RE: Please Send me the ERCOT Comments

5 U.S.C. Sec. 552(b)(5) - Attorney Work Product

[Redacted]

From: Schoellkopf, Lynde

Sent: Thursday, June 25, 2015 5:36 PM

To: Watson, Lucinda; Aisling, Kathleen; Kordzi, Joe

Cc: Donaldson, Guy

Subject: RE: Please Send me the ERCOT Comments

From: Watson, Lucinda

Sent: Thursday, June 25, 2015 5:31 PM

To: Aisling, Kathleen; Kordzi, Joe; Schoellkopf, Lynde

Cc: Donaldson, Guy

Subject: Please Send me the ERCOT Comments

Importance: High

Please send them to me. I appreciate it.

I will read them to see if anything more needed in the RTC other than “Thank you but you provided no data to support your concern. . .”

If they legitimately raise data never raised in any other EPA action on RH, then yes, we need to evaluate. But first we need to determine whether we legally can proceed with

the “pat” answer and not go any further. Waste of time otherwise in a time critical process.

Kordzi, Joe

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5 U.S.C. Sec. 552(b)(5) - Attorney Work Product

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Kordzi, Joe

From: Kordzi, Joe
Sent: Monday, June 29, 2015 9:57 AM
To: Donaldson, Guy
Cc: Aisling, Kathleen
Subject: RE: WAM on HQ Contract

Left her a VM outlining our situation and that we'd like to explore the possibility of Synapse reviewing the ERCOT grid reliability comment.

From: Donaldson, Guy
Sent: Monday, June 29, 2015 9:51 AM
To: Kordzi, Joe
Subject: FW: WAM on HQ Contract

Joe,

Please reach out to Robyn and see if anything is possible.

From: Aisling, Kathleen
Sent: Friday, June 26, 2015 9:30 AM
To: Donaldson, Guy; Kordzi, Joe
Subject: WAM on HQ Contract

Robyn DeYoung (who is out of the office on 6/26 and 6/29) is the WAM for the Synapse contract. I met her at the deal in Denver.
202-343-9080

Let me know if you want me to contact her when I am back on 7/6. If not, I'll leave it in your capable hands.

I would think it's worth making contact with her at any rate to find out what the contract is for, where the money came from, and in what ways the Region can access the contractor (if any) for any of our comment responding needs. It's possible Joe might just have some questions for which HQ can spare an hour of contractor time if it falls within the scope.

Have a good weekend and holiday week.

Kathleen Aisling
Environmental Engineer
Air Permits Section
US EPA, Region 6, 6PD-R
1445 Ross Avenue
Dallas, TX 75202-2733
Phone: 214.665.6406

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